

JC10 R PCT/PTO 15 JAN 2002
PATENT #3
ATTORNEY DOCKET NO.: 048984-5002-US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Robert F. BARGATZE *et al.*

Application No.: 09/913,855 ✓

Filed: August 20, 2001

For: ANTIBODIES AGAINST HYDROPHOBIC
PROTEINS THAT ARE PROTECTIVE
AGAINST CANDIDIASIS

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) Examiner: Unassigned
)
) Group Art Unit: Unassigned
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)
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Commissioner for Patents
Washington, D.C. 20231

Sir:

**INFORMATION DISCLOSURE STATEMENT
UNDER 37 C.F.R. § 1.97(b)**

Pursuant to 37 C.F.R. §§ 1.56 and 1.97(b), Applicants bring to the attention of the Examiner the documents listed on the attached PTO-1449. This Information Disclosure Statement is being filed before the mailing date of a first Office Action on the merits for the above-referenced application.

Copies of the listed documents are attached. Applicants respectfully request that the Examiner consider the listed documents and evidence that consideration by making appropriate notations on the attached form.

This submission does not represent that a search has been made or that no better art exists and does not constitute an admission that each or all of the listed documents are material or constitute "prior art." If it should be determined that any of the listed documents do not

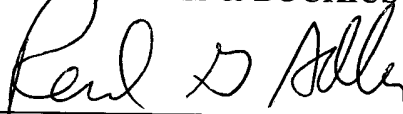
constitute "prior art" under United States law, Applicants reserve the right to present to the office the relevant facts and law regarding the appropriate status of such document.

Applicants further reserve the right to take appropriate action to establish the patentability of the disclosed invention over the listed documents, should one or more of the documents be applied against the claims of the present application.

Except for issue fees payable under 37 C.F.R. §1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this application including fees due under 37 C.F.R. § 1.16 and 1.17 which may be required, including any required extension of time fees, or credit any overpayment to Deposit Account No. 50-0310. This paragraph is intended to be a **CONSTRUCTIVE PETITION FOR EXTENSION OF TIME** in accordance with 37 C.F.R. § 1.136(a)(3).

Respectfully submitted,

MORGAN, LEWIS & BOCKIUS LLP



Reid G. Adler
Reg. No. 30,988

Dated: January 15, 2002

CUSTOMER NO. 009629
MORGAN, LEWIS & BOCKIUS LLP
1800 M Street, N.W.
Washington, D.C. 20036-5869
(202) 467-7000 phone
(202) 467-7258 fax

**INFORMATION DISCLOSURE
STATEMENT**

(Use several sheets if necessary)
PTO Form 1449
Page 1

Attorney Docket No.
048984-5002-US

Application No.:
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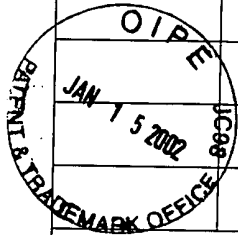
Applicants: **Robert F. BARGATZE et al**

Filing Date: **08/20/01**

Group Art Unit: **Unassigned**

U.S. PATENT DOCUMENTS

*Examiner Initial	Document Number	Date	Name	Class	Sub Class	Filing Date
	5,641,760	06/24/97	Yu et al.	514	53	
	5,578,309	11/26/96	Cutler et al.	424	274.1	

**FOREIGN PATENT DOCUMENTS**

Document Number	Date	Country	Class	Sub Class	Translation Yes No

OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)

	Angiolella et al. (1996) JID 173:684-690
	Han et al. (1997) Infect. Immun. 65:4100-4107
	Lee et al. (1997) J. Immunol. 92:104-110
	Masuoka et al. (1999) FEMS Immun. & Med. Microb. 24:421-429
	Masuoka et al. (1997) Microbiology 143:3015-3021
	International Search Report in PCT/US00/04447
	International Preliminary Examination Report in PCT/US00/04447

Examiner:

Date Considered:

Examiner: Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.